

ITEM #15-07-2009

PREPARED BY: Rosemary Barbee

APPROVED BY: Election Commission

RESOLUTION REQUESTING THE SHELBY COUNTY BOARD OF COMMISSIONERS TO APPROVE AN AMENDMENT TO FY2010 OPERATING BUDGET OF THE SHELBY COUNTY ELECTION COMMISSION IN THE AMOUNT OF \$603,558.00 FOR THE SENATE DISTRICT 31 SPECIAL PRIMARY ELECTION ON OCTOBER 15, 2009 AND SPECIAL GENERAL ELECTION ON DECEMBER 1, 2009; AND REQUESTING THE STATE OF TENNESSEE TO REIMBURSE SHELBY COUNTY FOR SAME AS REQUIRED BY LAW.

WHEREAS, Paul Stanley tendered his resignation from Senate District 31 of the Tennessee General Assembly effective August 10, 2009; and

WHEREAS, The Governor of the State of Tennessee issued a writ of election on August 21, 2009, in accordance with Tenn. Code Ann. § 2-14-202, setting October 15, 2009 as the date for a special primary election and December 1, 2009 for a special general election to fill the vacancy in Senate District 31; and

WHEREAS, The Shelby County Election Commission is required to hold a special election to fill vacancies in the State Senate upon receiving an order from the Governor to do so; and

WHEREAS, Tennessee Code Annotated 2-12-109(c) states that when a special election is held solely for the purpose of choosing a member of the Tennessee General Assembly, all expenses, including compensation of its employees and election officials, incurred by the county election commission or its members in the performance of its duties, shall be paid by the State Treasury upon certification of said expenses by the chairman and secretary of the county election commission; and

WHEREAS, An amendment to the FY2010 Operating Budget of the Shelby County Election Commission is required to reflect the expenditures for special elections; and

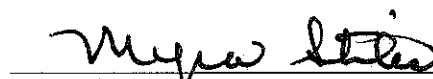
WHEREAS, The Shelby County Election Commission requests reimbursement from the State Treasury in the amount of \$603,558.00 to Shelby County Government.

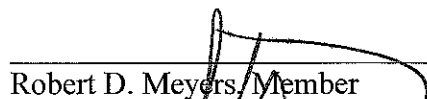
NOW, THEREFORE, BE IT RESOLVED, BY THE SHELBY COUNTY ELECTION COMMISSION, That a special election shall be held to fill the vacancy in Senate District 31 of the Tennessee General Assembly, with the special primary election being held on October 15, 2009 and the special general election on December 1, 2009.

BE IT FURTHER RESOLVED, That the Shelby County Election Commission requests the Shelby County Board of Commissioners to approve an amendment to the FY2010 Operating Budget so as to provide funding in the amount of \$603,558.00 for the required special election.

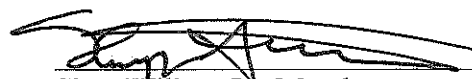
BE IT FURTHER RESOLVED, That all costs for the special election are to be reimbursed by the State Treasury and the State Treasury is hereby requested to reimburse Shelby County Government upon receipt of the certified expenses by the Chairman and Secretary of the Shelby County Election Commission.


Bill Giannini, Chairman


Myra Stiles, Secretary


Robert D. Meyers, Member


Brian Stephens, Member


Shep Wilbun Jr., Member

Adopted: 8-25-09